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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5TH DAY OF MARCH 1998

BEFORE

THE HON'BLE MR.JUSTICE HARI NATH TILHARI

REGULAR FIRST APPEAL NO. 364 OF 1989 &
CONNECTED WITH 363 OF 1989

BETWEEN:

Sri. E.Muniswamappa,

S/o late Sri. Erappa,

Major, residing at;

Sonnappanahalli,

Bangalore North, Bangalore Dist:

...Appellant.

(By Sri. R.B.Sadashivappa. Adv., for Applt.)

AND:

1. Smt. K.Kanyakumari,

aged 37 years, Wife of

late Shivasingh.

2. K_um. S.Poornima,

aged about 13 years,

D/o. late Shiv_asingh.

3. Kum. S .Vanitha,
aged about 10 years,
D/o late Shiv_asingh.

Respondent No.2 & 3 are minors,
represented by their mother and
guardi_{an} Smt. Kanyakumari Ist
respondent.

4. Smt. Janaki Bai, aged about 62 years,
M/o Late Shiv_asingh, represented
by CPA Holder Sri. J.Gopal Singh,
All are residing at No.49,
Hebbalgudd_aahalli,
R.T.Nagar,Bangalore-560032.

5. Sri .Mariyappa, S/o Thippanna,
major, Driver vehicle No.MYX-6187,
resident of Sonnappanahalli,
Bettalsur post, D_evenahalli taluk,
Bangalore District.
6. S.M.Pitambaraswamy, major,
resident of Sonnappanahalli,
Bettalsoor post, D_evenahalli taluk,
Bangalore Dist.

7. The New India Assurance Company,
No.47, 2nd floor, Bazaar street,
Yeshwanthapura, Bangalore-22.

Represented by its Manager.

...Respondents.

(By Sri.S.Chamaraja Reddy .Adv., for R_espts.)

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IN CONNECTION WITH R.F.A.No. 363 OF 1989

BETWEEN:

Sri. E.Muniswamappa,
+S/o late Sri. Erappa,
major, Residing at,
Sonnappanahalli,
Bangalore North Taluk,
Bangalore District.

..Appellant.

(By Sri. R.B.Sadashivappa. Adv., for Applt.)

AND:

1. Sri. H.Narayana Singh,
Father's name not known
to the Petitioner,
Major, Residing near
Naganatheswara Temple Street,
Chintamani Town,
Kolar District.

2. Mariyappa,

S/o Thippanna of-

Vehicle No.MYX-7187-

r/o Somappanahalli,

Bettaalasoor post,

Devanahalli Taluk,

Bangalore Dist.

3. S.M.Pitambaraswamy,

Major, r/o Sonnappanahalli,

Bettalasoor post, Devenahalli taluk,

Bangalore District.

4. The New India Assurance Co.,

No.47, II Floor, Bazar Street,

Yeshwanthapura,

Bangalore-22.

(Respondents 2 to 4 are the

JDRS in the trial Court.).

... Respondents.

(By Sri. S. Chamaraja Reddy Adv., for Respts.)

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Regular First Appeals against the
Judgment and decree passed by the M.A.C.T. No.
No. X Bangalore City in E_X.No. 1147 & 1146/85
on his file dated 21-1-89.

This Appeal coming on for hearing this
day, the court delivered the following:-

J U D G M E N T

The Appellant under his signature
along with the signature of his Advocate filed
a memo for being permitted to withdraw the
appeal as according to the appellant, the
matter between the claimants and the Judgment
debtor has been settled and the award has been
satisfied and as such, the appeal does not
survive for consideration.

In view of this statement of the
appellant contained in the memo, the two
appeals i.e. appeal No. 364/ 1989 and

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and appeal No; 363/1989 are hereby
dismissed as having been withdrawn.

sd/-

JUDGE

T.BY:RR

R.BY:

G.BY:

Copy

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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18/12/89

